



**City of YUMA**

**CITY OF YUMA  
REGULAR CITY COUNCIL MEETING **SUMMARY**  
COUNCIL CHAMBERS – YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
WEDNESDAY, JANUARY 20, 2010  
5:30 P.M.**

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***Notice is hereby given, pursuant to Resolution R2008-55, that Councilmember McClendon may participate in the January 20, 2010 Regular City Council Meeting through voice technology. Voting procedures will remain as required by the Yuma City Charter and other applicable laws.***

**CALL TO ORDER 5:00 PM**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**FINAL CALL** for submission of Speaker Request Forms

**PRESENTATIONS**

- PRESENTATIONS MADE**
- Police Department recognition of recent promotions
  - Fire Department recognition of Rich Walton

**COMMUNICATIONS / FACTUAL RESPONSES**

**INFORMATIONAL  
UPDATE**

This is the City Administrator's opportunity to clarify facts regarding statements circulating in the Yuma community in recent weeks concerning City issues and projects. The City Administrator's comments are intended to be informational only and no discussions, deliberations or decisions will occur on this item.

**I. CALL TO THE PUBLIC**

**NO LEGAL ACTION  
PERMITTED**

Members of the public may address the City Council on matters that are not listed on the City Council agenda. The City Council cannot discuss or take legal action on any matter

raised unless it is properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All City Council meetings are recorded and videotaped.

## II. MOTION CONSENT AGENDA

All items listed on the Motion Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. In which event, the item will be removed from the Motion Consent Agenda and the vote or action will be taken separately.

### A. Approval of minutes of the following City Council meeting(s):

- CONTINUED  
TO THE  
RCM  
OF 2/3/2010**
- |                 |                              |                     |                  |
|-----------------|------------------------------|---------------------|------------------|
| 1.              | Regular City Council Meeting | November 18, 2009   |                  |
| <b>APPROVED</b> | 2.                           | Special Worksession | December 1, 2009 |

### B. Approval of Staff Recommendations:

#### Page Item

1. Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (City Attorney)

**APPROVED** 2. **Special Event Liquor License: North End Rotary Club of Yuma**

Approve a Special Event Liquor License application submitted by Elery A. Gross, on behalf of the North End Rotary Club of Yuma, for a Renaissance Fair. The event will be held February 5, 2010 from 10:00 a.m. to 6:00 p.m., February 6, 2010 from 10:00 a.m. to 6:00 p.m. and February 7, 2010 from 10:00 a.m. to 6:00 p.m., at the West Wetlands Park, 2200 W. Water Street. (SP10-02) (City Administration/City Clerk)

**APPROVED** 3. **Bid Award: Declare Surplus and Authorize Sale of Firearms**

Declare surplus and award to the sole bidder for the Sale of Firearms (164) for a total of \$12,770.00 to: Sprague's Sports Inc., Yuma, Arizona. (Finance/Purchasing - Bid #2010000244)

**CONTINUED  
TO RCM OF  
2/3/2010**

**4. Bid Award: Fire Department Pre-Engineered Training Tower and Burn Building**

Award bid for the construction of the Fire Department Pre-Engineered Training Tower and Burn Building to the lowest responsive, responsible bidder for \$1,203,840.00 to: DPE Construction, Inc., Yuma, Arizona. (City Engineering Department - Bid #2008000328)

**APPROVED**

**5. Certificate of Necessity Application**

Authorize and direct the City Administrator to submit a Certificate of Necessity (CON) application to the Arizona Department of Health Services (ADHS). (Fire/Administration)

**NOT  
APPROVED**

**6. Renewal Agreement: City Administrator**

Authorize execution of the renewal agreement and terms of employment with Mark S. Watson to serve as City Administrator for the City of Yuma. (Mayor & Council)

**SUGGESTED MOTION: To approve the MOTION CONSENT AGENDA**

**M/\_\_\_\_\_ S/\_\_\_\_\_ VV/\_\_\_\_\_**

**III. RESOLUTION CONSENT AGENDA**

All items listed on the Resolution Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Resolution Consent Agenda and the vote or action will be taken separately.

**ADOPTED**

**A. Resolution R2010-01 Development Fee Deferral: Fowler & Kay Malone Trust dated 3-23-06**

Approve a Development Agreement with the Fowler & Kay Malone Trust deferring Citywide Development Fees and water and sanitary sewer capacity fees for Lot 18, Victoria Meadows subdivision. (City Engineering/Administration)

**ADOPTED B. Resolution R2010-02 City of Yuma Special Election - Arizona Public Service Company Franchise**

Call a mail ballot Special Election on May 18, 2010 for the purpose of submitting a new 25-year franchise for Arizona Public Service Company to the qualified electors. (City Administration/City Clerk)

**ADOPTED C. Resolution R2010-03 City of Yuma Special Election - Southwest Gas Corporation Franchise Extension**

Call a mail ballot Special Election on May 18, 2010 for the purpose submitting a 25-year franchise extension for Southwest Gas Corporation to the qualified electors. (City Administration/City Clerk)

**ADOPTED D. Resolution R2010-04 Emergency Medical Services Ambulance Transport Needs Assessment**

Adopt the City of Yuma Emergency Medical Services Ambulance Transport Needs Assessment (Fire/Administration)

**SUGGESTED MOTION: To adopt the RESOLUTION CONSENT AGENDA as recommended:**

**M/\_\_\_\_\_ S/\_\_\_\_\_ RV/\_\_\_\_\_**

**IV. ADOPTION OF ORDINANCES CONSENT AGENDA**

All items listed on the Ordinances Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Ordinance Consent Agenda and the vote or action will be taken separately.

**ADOPTED A. Ordinance O2010-05 Property Acquisition: 32nd Street Improvements**

Authorize the acquisition of stormwater basin property for 32nd Street improvements, between Avenue B and Avenue A. (City Engineering/Administration)

**ADOPTED B. Ordinance O2010-06 Conveyance of Easement**

Authorize the conveyance of an easement to Arizona Public Service Company for lighting of the West Wetlands Pathway. (City Engineering/Administration)

**ADOPTED C. Ordinance O2010-07 Zoning Code Text Amendment: Temporary Signs**

Amend the City of Yuma Zoning Code, Title 15, Chapter 154, Section 421, Exempt Signing; to allow temporary signs when business visibility and access are impacted by roadway construction. (Z2009-018R). (Community Development/Community Planning)

**ADOPTED D. Ordinance O2010-08 Special Election: Yuma City Charter, Article XII, Section 2, Local Preference**

Call for a mail ballot Special Election on May 18, 2010 and submit ballot language to the qualified electors of the City of Yuma, for the purpose of amending the Yuma City Charter, Article XII, Section 2, Local preference. (City Administration/City Clerk)

**SUGGESTED MOTION: To adopt the ORDINANCES CONSENT AGENDA as recommended:**

**M/\_\_\_\_\_ S/\_\_\_\_\_ RV/\_\_\_\_\_**

**V. INTRODUCTION OF ORDINANCES**

The following ordinance(s) is presented to the City Council for introduction. No vote or action by the City Council is necessary. However, the City Council may, at its option, vote or take action where appropriate. Ordinances given introduction are generally presented to the City Council for adoption at the next Regular City Council meeting.

**INTRODUCED A. Ordinance O2010-09 Zoning Code Text Amendment: Correct the word "signing" with the word "signage"**

Amend the City of Yuma Zoning Code, Title 15, Chapter 154, Sections 173, 273, 277, and 415-421, to correct the word "signing" with the word "signage". (Community Development/Community Planning)

**INTRODUCED B. Ordinance O2010-10 Zoning Code Text Amendment: Zoning District Boundary Lines**

Approve the Zoning Code Text Amendment to amend Title 15, Chapter 154, Section 002(B)(2), to allow zoning districts to automatically extend to the centerline of contiguous rights-of-way. The applicant is the City of Yuma. (Z2009-017) (Community Development/Community Planning)

**INTRODUCED C. Ordinance O2010-12 Zoning Code Text Amendment: Cielo Verde Specific Plan**

Amend the City of Yuma Zoning Code, Title 15, Chapter 154-002 (A)(3)(a) adopting "The Cielo Verde Specific Plan" by reference, amending the Cielo Verde Specific Plan Residential District Primary Uses to allow a religious institution including related buildings and activities. (Z2009-022) (Community Development/Community Planning)

**INTRODUCED D. Ordinance O2010-13 Right-of-Way Acquisition: 12th Street, Lot 237 of Magnolia Village Unit No. 3**

Authorize the acquisition of Lot 237 of Magnolia Village Unit No. 3 for 12th Street widening and reconstruction, between Avenue B and Avenue A. (City Engineering/Administration)

## **VI. PUBLIC HEARINGS & RELATED ACTIONS**

**PUBLIC HEARING HELD – APPEAL DENIED A. Appeal of Citywide Development Fees: The Bradley Family Trust**

City Council to hear and decide the Bradley Family Trust Citywide Development Fee appeal pursuant to City Code Section 157-04. The appeal seeks a refund of Citywide Development Fees paid for two of four lots in the Palms RV subdivision. The appeal also seeks a waiver of fees for the remaining two lots. (City Attorney)

## **VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

Discussion and possible action on the following items:

1. Appointment to boards, commissions, committees and offices:

- Clean and Beautiful Commission: two terms to expire 12/11/2012

**NO  
APPOINTMENTS  
MADE**

- Residential Advisory & Appeals Board: two partial (one citizen and one Plumbing Contractor) terms to expire 09/01/2011
- Water and Sewer Commission: one partial term to expire 07/06/2013

2. Announcements:

- City Council report on meetings/events attended – City Council report on issues discussed in meetings/events attended by a City Council representative in their official capacity as the City's representative during the period of January 6, 2010 through January 20, 2010. City Council questions regarding the update must be limited solely for clarification purposes. If further discussion is warranted, the issue will be added to a future agenda for a detailed briefing.
- City Council report of upcoming meetings.
- City Council request for agenda items to be placed on future agendas.

3. Scheduling: Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

## VIII. SUMMARY OF CURRENT EVENTS

NOT  
REPORTED

This is the City Administrator's opportunity to give notice to the City Council of current events impacting the City. Comments are intended to be informational only and no discussion, deliberation or decision will occur on this item.

## IX. EXECUTIVE SESSION

EXECUTIVE  
SESSION  
NOT HELD

An Executive Session may be held during this meeting to discuss pending Legal/Personnel/Real Estate matters. An Agenda will be posted 24 hours in advance.

## ADJOURNMENT 6:52 PM

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Department, One City Plaza, PO Box 13012, Yuma, Arizona 85366-3012; (928) 373-5125 or TTY (928) 373-5149.